Building Code Considerations for Child Day Care Businesses

(Valid for 2016, Check for Annual Updates)

Child Day Care Businesses are often placed into existing buildings; however, most existing buildings were not necessarily designed specifically for a day care business and do not meet all the requirements for a day care use. Day Care businesses that are contemplating moving into a building within the City of Beaverton need to be aware of a number of things related to City and State Codes. City staff are available to meet informally or through a pre-application meeting prior to design/construction in order to offer feedback, etc.

Business Assistance: Business Assistance: If you would like assistance finding a location, starting your business or learning about resources available to businesses in Beaverton, please contact the Economic Development Division 503-526-2456. http://www.beavertonoregon.gov/EconomicDevelopment

Land Use and Zoning: The first thing a business owner needs to do is verify that their specific business is compatible with the zoning of the property. This can be done by contacting the City of Beaverton Planning Division to verify the allowed business uses at the specific property. Please call 503-526-2420. http://www.beavertonoregon.gov/Planning

State Licensing: Contact the State of Oregon Office of Child Care regarding day care licensing. Please call 1-800-947-1400. http://www.oregon.gov/OCC/Pages/about_us.aspx

Contact County Health Department: Health regulations for food services are handled by the Washington County Health Department. Contact the County for information. Please call 503-846-8722. http://www.co.washington.or.us/HHS/EnvironmentalHealth/FoodSafety/index.cfm#

City Business License: Each business is required to have a valid City Business License. Business licenses can be obtained through the City Finance Department. For more information, please call 503-536-2255. http://www.beavertonoregon.gov/BusinessLicense

Building Plan Review and Permits: For information on building permit applications, plan review requirements and fees, etc., please call 503-526-2403. http://www.beavertonoregon.gov/Building

State Building Code: The current State Building Code (SBC) includes: The 2014 edition of the Oregon Structural Specialty Code (OSSC); 2014 Oregon Mechanical Specialty Code (OMSC); the 2014 Oregon Plumbing Specialty Code (OPSC); the 2014 Oregon Electrical Specialty Code (OESC); and the 2014 Oregon Fire Code (OFC). To review these codes on-line, please go to: http://www.cbs.state.or.us/external/bcd/programs/online_codes.html

BUILDING CODE INFORMATION

The information listed below are specific SBC Requirements. For more information about how these requirements apply to a day care business, please contact the Building Division, 503-526-2403.

Occupancy Groups: The Building Code defines a day care use as either a Group E or Group I-4 Occupancy depending on the number and age of the children receiving day care. If there are more than five children 2 ½ years of age or less, either the rooms where such children are cared for must have an exit door directly to the exterior, or the use is considered a Group I-4 day care occupancy (with more regulations than a Group E Occupancy). Also, if the total number of children 2 ½ years of age or less exceeds one hundred, the use becomes a Group I-4 Occupancy.

Change of Use (Occupancy): When a day care use moves into an existing building that was not specifically designed for that type of use (such as an office, mercantile, warehouse, etc…) it is considered a change of use (occupancy) and it must be shown that the building meets the requirements for the new day care use. Plans for the change of occupancy must be prepared by a design professional (Architect or Engineer). The plans must include (but are not limited to):

- Information that the new day care use meets the allowable building area and height.
- The building construction type.
- The set-backs from property line. Walls must be 1-hour fire resistive if less than 10 feet from a property line. Verification of protected openings is required.
- Identification of the use of each room or space in building.
- Identification of any proposed changes to the building (i.e., removal of walls, new walls, new openings, etc…).
- If the space is in a mixed use building, showing compliance with separated or non-separated uses.
- Verification that exit doors (interior and exterior) are a minimum 3 foot wide with clear opening of 32-inches.
- Verification that there are landings level with the floor on each side of doors.
- Verification that stairways comply with code for rise/run of treads and handrails.
- A floor structure engineering analysis is needed to verify that it meets the requirements for educational use (N/A for concrete slabs on grade) for loads of 40psf live and 1,000lb concentrated.
- Total Occupant Load. If the occupant load exceeds 250, the building must meet the structural requirements for a "risk category III" per SBC Table 1604.5.

Number of Restrooms: The size of the day care business dictates how many toilets and lavatory sinks are required. Chapter 29 of the SBC allows a single (unisex) toilet and lavatory if the total occupant load of both customers and employees is thirty or less. Separate toilet facilities required for male and female if over 30 total occupants (employees and students) or 'unisex'. The occupant load is determined by the square foot area of the spaces (kitchen, offices, seating area, etc…) divided by the occupant load factor from Chapter 10 of the SBC. If the occupant load exceeds fifteen, then separate toilet/lavatory facilities for males and females is required. The minimum number of toilets and lavatories is also based on the occupant load. See also 'Fees' for Sanitary Sewer fees. New fixtures may have System Development Charges (SDC Fees).

Occupant Load and Number of Exits: Chapter 10 of the SBC is used to determine the occupant load for the application of code requirements. Every space requires at least one exit door, and two or more exits depending on the occupant load. A minimum of two exits are required if the occupant load exceeds 49; three exits if the occupant load exceeds 500. Chapter 10 of the SBC requires the exits to be separated a minimum distance (Not less than one-half; one third in buildings equipped with an automatic fire sprinkler system) of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between exits doors. A minimum of two exit doors are required from day care spaces with an occupant load of more than 10 with children that are 2-1/2 years or less of age.

Fire Sprinklers: New day care business buildings and existing buildings going through a change of occupancy involving a Group E occupancy that are over 12,000 square feet require automatic fire sprinklers. If the use is an I-4, a fire sprinkler system is required if the day care is located above or below the ground level (grade). An automatic fire sprinkler system is required if any day care is located in a basement. If the building is wood framed, it cannot exceed one story unless it is equipped by an automatic fire sprinkler system.

Fire Alarms: A manual fire alarm system is required if the total occupant load exceeds 50.

Grease Interceptors: Where food service (kitchens) areas are provided, they are required to provide a method to collect fats, oils and grease from entering into the public sewer system. This is in the form of a grease interceptor as required by the State Plumbing Code.

Exhaust Hood over Kitchen Equipment: Most daycare uses have small kitchens that have moderate to small amounts of cooking (not restaurant levels of cooking). If this is the case, a single domestic (residential type) range/oven can be installed. If the range/oven is a residential type, then a domestic (residential range hood would need to be installed over the new range. If a commercial type range/oven is installed, it will require a commercial exhaust hood, and depending on the level of use may require a hood with a fire suppression system.

Cooking equipment that produces grease or smoke are required to have a Type I exhaust hood. This is the type that has fire protected ducting and a fire suppression system. Cooking equipment that only produces heat or steam are required to have a Type II exhaust hood - this type does not require the fire protection. The exhaust hood must be sized to match the equipment that will be located underneath (reuse of existing hood sometimes creates issues because the size and/or type are not compatible with the new equipment).

Any suspended hood or equipment must be properly supported for vertical and lateral (earthquake) loads. Suspended equipment that exceeds seventy-five pounds must have a support system designed by a licensed design professional (Architect or Engineer). This is to ensure the building structure can support the weight, that the equipment is supported correctly, and can resist movement in an earthquake that could cause it to collapse.

Regular, Low Temperature and/or Chemical Dishwashers: Regardless of the type of dishwasher used, either a Type II Exhaust hood is required **or** the heat/moisture from the equipment must be designed into the HVAC system (this design must come from a licensed design professional (typically a mechanical engineer).

Heating/Cooling: Some buildings or spaces were not designed to be heated or cooled (only heat to protect water pipes from freezing). If a business needs an uninsulated space to be heated and or cooled (beyond freeze protection), the space will need to be insulated to the current energy code.

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Ventilation Air: A mechanical HVAC system or natural ventilation is required. Show compliance with Mechanical Code Section 403, Ventilation Air (provide required calculations), or the rooms and spaces must be provided with natural light and ventilation by doors/windows that open to the outdoors and are equal to 8 percent of the floor area for light, and 4 percent of the floor area for ventilation.

Electrical Wiring: Electrical wiring must meet current Electrical Code (may need to be in conduit areas where children have access).

Accessibility (Americans with Disabilities Act (ADA)): Any alterations to a building or space (new walls, rooms, doors, bathroom, etc...) will need to meet the accessibility code requirements from Chapter 11 of the SBC. In addition, Chapter 34 the SBC requires any ADA barriers that exist elsewhere in the building to be removed at a cost not to exceed 25 percent of the value of the overall project. For example, if a project has a cost of $20,000 for the new work, up to an additional $5,000 must be spent in removing ADA barriers (if any exist). If it costs $1,000 to eliminate all the remaining barriers, the whole $5,000 would need to be spent. If there are $10,000 in costs to remove the barriers, only $5,000 would need to be spent. If there are no remaining ADA barriers, then no additional money needs to be spent.

Fees: Aside from the various permit fees that will be required, new businesses must pay system impact fees or a SDC. Oftentimes new businesses must pay system impact fees. Typically, these are sanitary sewer fees if new plumbing fixtures are added to an existing space. Restaurants typically have a large number of plumbing fixtures and the sanitary sewer SDC fees can be substantial. For example: adding two toilets and two lavatory sinks would require payment of a $5,100 sewer fee. Other fees that may be applicable could be a transportation (traffic) fee if there is a major change in the use of the building or space (going from office to a large restaurant). Credit is given to existing plumbing fixtures that are removed.

The information provided is not all inclusive. The details provided serve as an overview of common issues related to the proposed business type. For more information, please contact the appropriate entity noted above.